

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: : **CHAPTER 13**
NICHOLETTE MCCLINTON HARRIS :
fka Nicholette McClinton Harris-Reid, :
Debtor :

NICHOLETTE MCCLINTON HARRIS :
fka Nicholette McClinton Harris-Reid, :
Movant :

v. :

PREMIER PROPERTY :
MANAGEMENT, :
Respondent :

MOTION TO AVOID LIEN OF RESPONDENT
UNDER SECTION 522(f) OF THE BANKRUPTCY CODE

COMES NOW the Debtor, by and through Dorothy L. Mott, Esquire and makes this Motion respectfully stating in support thereof:

1. The Debtor filed a Chapter 13 Petition on November 4, 2016.
2. The Debtor is an adult individual residing at 162 N 2nd Street Steelton, PA 17113 .
3. Respondent maintains a mailing address of 1010 N 3rd Street, Harrisburg, PA 17102.
4. The Respondent holds a judicial lien against the Debtor in the amount of \$1,885.00 (\$1,740 plus \$145 costs) entered in Dauphin County at docket number # 2012 CV 1160.
5. The Debtor has listed all property the Debtor owns on the Bankruptcy schedules.
6. All property listed by the Debtor has been exempted as follows:

Asset	Value	Lien	Exemption	Equity
162 N 2nd St, Steelton, PA 17113	\$65,000.00	\$61,557.00	11 U.S.C. § 522(d)(1)	\$3,443.00

7. No one has challenged either the value of the property or the exemption claimed.
8. The Respondent does not have a purchase money security interest in household goods, or a possessory interest.

9. The judgment of the Respondent impairs the exemption of the Debtor under Section 522(d) of the Bankruptcy Code. The judgment is a judicial lien.

10. The Debtor seeks under Section 522(f) of the Bankruptcy Code to avoid the judgment of the Respondent.

WHEREFORE, the Debtor respectfully requests that this Court enter an Order avoiding the aforesaid judgment under Section 522(f) of the Bankruptcy Code and granting such other relief as this Court deems just.

Respectfully submitted,

/s/ Dorothy L. Mott

Dorothy L. Mott, Esquire
Attorney ID#43568
Mott & Gendron Law
125 State Street
Harrisburg, PA 17101
(717) 232-6650 TEL
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FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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NICHOLETTE MCCLINTON HARRIS	:
fka Nicholette McClinton Harris-Reid,	:
Debtor	:
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NICHOLETTE MCCLINTON HARRIS	:
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Movant	:
	:
	:
v.	:
	:
PREMIER PROPERTY	:
MANAGEMENT,	:
Respondent	

O R D E R

UPON consideration of the foregoing Motion to Avoid Judgment of Respondent under Section 522(f) of the Bankruptcy Code , it is hereby

ORDERED AND DECREED that the relief prayed for in the Motion be, and hereby is granted, to wit, the judgment of PREMIER PSYCHIATRY ASSOC in the approximate amount of \$1,885.00 entered in Dauphin County at docket number # 2012 CV 1160 be and hereby is avoided; it is further

ORDERED AND DECREED that a certified copy of this Order may be filed with the Prothonotary of Dauphin County and the Prothonotary is directed to terminate the judgment in the judgment indices.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:	:	CHAPTER 13
NICHOLETTE MCCLINTON HARRIS	:	
fka Nicholette McClinton Harris-Reid,	:	CASE NO. 1:16-bk-04552
Debtor	:	
	:	
NICHOLETTE MCCLINTON HARRIS	:	
fka Nicholette McClinton Harris-Reid,	:	
Movant	:	
	:	
	:	
v.	:	
	:	
PREMIER PROPERTY	:	
MANAGEMENT,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I, Dorothy L. Mott, hereby certify that on March 17, 2021, I served a copy of the notice and Motion to Avoid Lien electronically or by placing the same in the United States Mail, First Class, postage pre-paid, addressed as follows:

CHARLES J DEHART, III ESQUIRE Esquire, Trustee (via ECF)

PREMIER PROPERTY MANAGEMENT
1010 N 3RD STREET
HARRISBURG, PA 17102

PREMIER PROPERTY MANAGEMENT GROUP LLC
4700 Royal Ave.
Harrisburg Dauphin PA 17109

/s/ Dorothy L. Mott

Dorothy L. Mott, Esquire
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(717) 232-0477 FAX
doriemott@aol.com

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA

In re: Debtor(s) name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade):

Chapter:13

Nicholette McClinton Harris
fka Nicholette McClinton Harris-Reid
Debtor

Case number:1:16-bk-04552
Matter: Motion to Avoid Lien

Nicholette McClinton Harris
fka Nicholette McClinton Harris-Reid
Movant

vs,

PREMIER PROPERTY MANAGEMENT,
Respondent

Notice

NOTICE OF OPPORTUNITY TO OBJECT AND HEARING: Pursuant to Local Rule 2002-1(a), the Court will consider this motion, objection or other matter without further notice or hearing unless a party in interest files an objection/response within twenty-one (21) days of the date of the notice. If you object to the relief requested, you must file your objection/response with the Clerk, U. S. Bankruptcy Court, 228 Walnut Street, Room 320, Harrisburg PA 17101 and serve a copy on the movant and movant's attorney, if one is designated.

If you file and serve an objection/response within the time permitted, the Court may schedule a hearing and you will be notified. If you do not file an objection within the time permitted the Court will deem the motion unopposed and proceed to consider the motion without further notice or hearing, and may grant the relief requested.

Date: March 17, 2021

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